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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/370,611 08/07/99 WALKER

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LM02/0703

EXAMINER

CALVIN WALKER
1840 SWITZER
ST LOUIS MO 63147

NGUYEN, H

ART UNIT	PAPER NUMBER
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2736

DATE MAILED:

07/03/00

2

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No. 09/370,611	Applicant Calvin Walker
Examiner Hung Nguyen	Group Art Unit 2736



Responsive to communication(s) filed on Aug 7, 1999.

This action is FINAL.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

Claim(s) 1-3 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

Claim(s) _____ is/are allowed.

Claim(s) 1-3 is/are rejected.

Claim(s) _____ is/are objected to.

Claims _____ are subject to restriction or election requirement.

Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on _____ is/are objected to by the Examiner.

The proposed drawing correction, filed on _____ is approved disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All Some* None of the CERTIFIED copies of the priority documents have been

received.

received in Application No. (Series Code/Serial Number) _____.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Specification

1. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 250 words. It is important that the abstract not exceed 250 words in length since the space provided for the abstract on the computer tape used by the

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printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

3. *The abstract of the disclosure is objected to because the abstract should be in a separate page and with the proper languages as described above. Correction is required. See MPEP § 608.01(b).*

4. *The specification should be provided in typing (not handwriting) which could not be easily erasable. Also, the spacing of the lines of the specification is such as to make reading and entry of amendments difficult. New application papers with lines double spaced on good quality paper are required.*

This application is informal in the arrangement of the specification. The following guidelines illustrate the preferred layout and content for patent applications. These guidelines are suggested for the applicant's use.

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Arrangement of the Specification

The following order or arrangement is preferred in framing the specification and, except for the reference to "Microfiche Appendix" and the drawings, each of the lettered items should appear in upper case, without underlining or bold type, as section headings. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) Title of the Invention.
- (b) Cross-References to Related Applications.
- © Statement Regarding Federally Sponsored Research or Development.
- (d) Reference to a "Microfiche Appendix" (see 37 CFR 1.96).
- (e) Background of the Invention.
 - 1. Field of the Invention.
 - 2. Description of the Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) Brief Summary of the Invention.
- (g) Brief Description of the Several Views of the Drawing(s).
- (h) Detailed Description of the Invention.
- (I) Claim or Claims (commencing on a separate sheet).
- (j) Abstract of the Disclosure (commencing on a separate sheet).

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- (k) Drawings.
 - (l) Sequence Listing (see 37 CFR 1.821-1.825).
5. Applicant is advised on how to arrange the content of the specification.

Content of Specification

- (a) Title of the Invention: See 37 CFR 1.72(a). The title of the invention should be placed at the top of the first page of the specification. It should be brief but technically accurate and descriptive, preferably from two to seven words.
- (b) Cross-References to Related Applications: See 37 CFR 1.78 and MPEP § 201.11.
- (c) Statement Regarding Federally Sponsored Research and Development: See MPEP § 310.
- (d) Reference to a “Microfiche Appendix”: See 37CFR 1.96© and MPEP § 608.05. The total number of microfiche and the total number frames should be specified.
- (e) Background of the Invention: The specification should set forth the Background of the Invention in two parts:

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- (1) Field of the Invention: A statement of the field of art to which the invention pertains. This statement may include a paraphrasing of the applicable U.S. patent classification definitions of the subject matter of the claimed invention. This item may also be titled "Technical Field."
 - (2) Description of the Related Art: A description of the related art known to the applicant and including, if applicable, references to specific related art and problems involved in the prior art which are solved by the applicant's invention. This item may also be titled "Background Art."
- (f) Brief Summary of the Invention: A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.

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- (g) Brief Description of the Several Views of the Drawing(s): A reference to and brief description of the drawing(s) as set forth in 37 CFR 1.74.
- (h) Detailed Description of the Invention: A description of the preferred embodiment(s) of the invention as required in 37 CFR 1.71. The description should be as short and specific as is necessary to describe the invention adequately and accurately. This item may also be titled "Best Mode for Carrying Out the Invention." Where elements or groups of elements, compounds, and processes, which are conventional and generally widely known in the field of the invention described and their exact nature or type is not necessary for an understanding and use of the invention by a person skilled in the art, they should not be described in detail. However, where particularly complicated subject matter is involved or where the elements, compounds, or processes may not be commonly or widely known in the field, the specification should refer to another patent or readily available publication which adequately describes the subject matter.
- (I) Claim or Claims: See 37 CFR 1.75 and MPEP § 608.01(m). The claim or claims must commence on separate sheet. (37 CFR 1.52(b)). Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be

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separated by a line indentation. There may be plural indentations to further segregate subcombinations or related steps.

(j) Abstract of the Disclosure: A brief narrative of the disclosure as a whole in a single paragraph of 250 words or less on a separate sheet following the claims.

(k) Drawings: See 37 CFR 1.81, 1.83-1.85, and MPEP § 608.02.

(l) Sequence Listing: See 37 CFR 1.821-1.825.

6. *The disclosure is objected to because of the following informalities: the heading and the content of the summary, the brief of description of the drawings and the detail description of the drawings are missing. Also, the drawings should not be shown in the specification. However, the drawings should be provided in separate sheets with figure number. Please note the format of the drawings and specification in the patent(s) cited. Also, there should be no ***NEW MATTER*** (note: the definition of the NEW MATTER is anything that is not shown in the specification, drawings and claims as filed originally).*

Appropriate correction is required.

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Drawings

7. *The drawings are objected to because the applicant should provide drawings in separate sheets with figure numbers and provided the numerals for each element in the drawings (also, all claimed subject matters should be shown in the drawings). Correction is required. There should be no ***NEW MATTER***.*

Claim Rejections - 35 U.S.C. § 112

8. Claims 1-3 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

The claim(s) are narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim(s) must be in one sentence form only. Note the format of the claims in the patent(s) cited.

For example, regarding claim 1, the preamble is missing and it is unclear as to what is the claimed subject matter. Also, the phrase “relay specific information” is unclear, vague and indefinite. It should be claimed in the detail format. Also, the applicant could be claim the dependent claim without a claim number and it is in an improper format. If the applicant

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intended to claim a dependent claim, the dependent claim should be follow the next claim number and with the proper format as the following:

Claim 2. Each unit as claimed in claim 1, further comprising a plurality of alert sensors and a message playback to provide the type of the alert message upon the sensed sensor of said plurality of alert sensors.

Regarding claims 2-3 have the similar problem as mentioned above.

Claim Rejections - 35 U.S.C. § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Stebbins et al. [5,736,927] (the art rejections are made with the best understanding).

Regarding claim 1, Stebbins discloses an audio listen and voice security system (2) relates to home detection devices, such as smoke, carbon monoxide, radon detectors . A security alarm system including multiple, zone distributed audio monitors and alarm sensors (sensor 1 - sensor

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12) which report and verify detected alarms and communicate with a system controller (4) and central station (8) [figs.1-2 & 3a, col.4, lines 4-12 / lines 37-51].

Dependent claim 1, Stebbins discloses a security system (2) with multiple alert sensors (sensor 1 - sensor 12) will insert proper “alert type” into message playback is cited in fig.4d, col.8, lines 29-40 / lines 58-65 .

Regarding claim 2, Stebbins discloses a security system (2) with multiple alert sensors (sensor 1 - sensor 12) to detect a smoke, carbon monoxide, radon detectors is monitored by system controller (6) [fig.1, col.4, lines 45-51].

Dependent claim 2, Stebbins discloses a security system (2) with a memory (34) is used to verify location fire began [figs.3i & 3j, col.7, line 65 to col.8, line 16 and lines 36- 41].

Regarding claim 3, Stebbins discloses a security system (2) has the ability to relay its own detection of an alarm is cited in fig.4d, col.8, lines 58-65.

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Dependent claim 3, Stebbins discloses a security system (2) has a system controller (6) with RAM memory (34) is communicated to the central station (8) to monitor the premises and retain a record of audio activity at the monitored premises also take appropriate action depending upon the data and alarm received [figs.2 and 3a, col.4, line 45 to col.5, line 25].

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Banga [5,889,468] disclosed an extra security smoke alarm system.

Kim [5,949,332] disclosed fire alarm radio transmitter and receiver set.

Muir et al. [3,810,097] disclosed a method and system for visually conveying alarm information.

Routman et al. [5,349,338] discloses a fire detector and alarm system.

Hsu [5,724,020] discloses a voice warning system for fire accidents.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung T. Nguyen whose telephone number is (703) 308-6796.

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The examiner can normally be reached on Monday to Friday from 8:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery Hofsass, can be reached on (703)305-4717. The fax phone number for this Group is (703) 305-3988.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

13. Any response to this action should be mailed to :

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703)308-9051, (for formal communication intended for entry)

Or:

(703)308-6743 (for informal or draft communications, please label
“UNOFFICIAL” OR “INFORMAL” OR “PROPOSED” or “DRAFT”)

Hand-delivered responses should be brought to Crystal Park II, 2021 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).

Hung Nguyen

May 17, 2000


DANIEL J. WU
Primary Examiner
6/28/00

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IMPORTANT GUIDELINES FOR THE APPLICANT

Specification

14. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

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15. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to **a single paragraph on a separate sheet** within the range of **50 to 250 words**. It is important that the abstract **not exceed 250 words in length** since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "**means**" and "**said**," **should be avoided**. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

16. The following guidelines illustrate the preferred layout and content for patent applications. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

The following order or arrangement is preferred in framing the specification and, except for the reference to "Microfiche Appendix" and the drawings, each of the lettered items should appear in upper case, without underlining or bold type, as section headings. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) Title of the Invention.
- (b) Cross-References to Related Applications.
- (c) Statement Regarding Federally Sponsored Research or Development.
- (d) Reference to a "Microfiche Appendix" (see 37 CFR 1.96).
- (e) Background of the Invention.
 - 1. Field of the Invention.
 - 2. Description of the Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) Brief Summary of the Invention.
- (g) Brief Description of the Several Views of the Drawing(s).
- (h) Detailed Description of the Invention.
- (i) Claim or Claims (commencing on a separate sheet).
- (j) Abstract of the Disclosure (commencing on a separate sheet).

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- (k) Drawings.
- (l) Sequence Listing (see 37 CFR 1.821-1.825).

17. Applicant is advised on how to arrange the content of the specification.

Content of Specification

- (a) Title of the Invention: See 37 CFR 1.72(a). The title of the invention should be placed at the top of the first page of the specification. It should be brief but technically accurate and descriptive, preferably from two to seven words.
- (b) Cross-References to Related Applications: See 37 CFR 1.78 and MPEP § 201.11.
- (c) Statement Regarding Federally Sponsored Research and Development: See MPEP § 310.
- (d) Reference to a “Microfiche Appendix”: See 37CFR 1.96© and MPEP § 608.05. The total number of microfiche and the total number frames should be specified.
- (e) Background of the Invention: The specification should set forth the Background of the Invention in two parts:
 - (1) Field of the Invention: A statement of the field of art to which the invention pertains. This statement may include a paraphrasing of the applicable U.S. patent classification definitions of the subject matter of the claimed invention. This item may also be titled “Technical Field.”
 - (2) Description of the Related Art: A description of the related art known to the applicant and including, if applicable, references to specific related art and problems involved in the prior art which are solved by the applicant's invention. This item may also be titled “Background Art.”
- (f) Brief Summary of the Invention: A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in

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the Background of the Invention). In chemical cases it should point out in general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.

- (g) Brief Description of the Several Views of the Drawing(s): A reference to and brief description of the drawing(s) as set forth in 37 CFR 1.74.
- (h) Detailed Description of the Invention: A description of the preferred embodiment(s) of the invention as required in 37 CFR 1.71. The description should be as short and specific as is necessary to describe the invention adequately and accurately. This item may also be titled "Best Mode for Carrying Out the Invention." Where elements or groups of elements, compounds, and processes, which are conventional and generally widely known in the field of the invention described and their exact nature or type is not necessary for an understanding and use of the invention by a person skilled in the art, they should not be described in detail. However, where particularly complicated subject matter is involved or where the elements, compounds, or processes may not be commonly or widely known in the field, the specification should refer to another patent or readily available publication which adequately describes the subject matter.
- (I) Claim or Claims: See 37 CFR 1.75 and MPEP § 608.01(m). The claim or claims must commence on separate sheet. (37 CFR 1.52(b)). Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation. There may be plural indentations to further segregate subcombinations or related steps.
- (j) Abstract of the Disclosure: A brief narrative of the disclosure as a whole in a single paragraph of 250 words or less on a separate sheet following the claims.
- (k) Drawings: See 37 CFR 1.81, 1.83-1.85, and MPEP § 608.02.
- (l) Sequence Listing: See 37 CFR 1.821-1.825.

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18. **The spacing of the lines of the specification** is such as to make reading and entry of amendments difficult. New application papers with lines **double spaced** on good quality paper are required.

19. Applicant is reminded that erasable paper is not permitted. Also, please do not use any erasable pen. Handwritten is not permitted either.

Applicant is required either (1) to submit permanent copies of the identified parts or (2) to order a photocopy of the above identified parts to be made by the Patent and Trademark Office at applicant's expense for incorporation in the file. See MPEP § 608.01.

Drawings

20. The drawings must show every feature of the invention specified in the claims.

21. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing.

22. In the drawings, same part should use the same reference number. Also, different parts could not use the same reference number.

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Others important things

23. It is called to applicant's attention that if a communication is deposited with the U. S. Postal Service and mailed to the Office by First Class Mail before the reply time has expired, applicant may submit the reply with a "Certificate of Mailing" which merely asserts that the reply is being mailed on a given date. So mailed, before the period for reply has expired, the reply may be considered timely. A suggested format for a certificate follows:

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to:

Assistant Commissioner for Patents

Washington, D.C. 20231

on _____ (date).

Typed or printed name of person signing this certificate

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Signature _____

Date _____

Note: you could simply type the above sample format (also fill in the blank) in a separate paper or the first page/at the end of the amendment. This way, the Patent Office will consider your paper according to the above DATE that you fill in as the filing date for that particular paper. For example, you suppose need to response our letter the latest on May 13, 1998. On May 13, 1998, make sure you type the above format in the first page of the response letter with the date May 13, 1998 that you fill in the blank, and then send out the letter to PTO at the Post Office. Then, when PTO receive the letter even though after May 13, 1998, let say May 15, 1998; the paper will still consider as received on May 13, 1998. However, without showing the above format, even if you have the proof from the post office that you mail the letter on May 13, 1998, the paper would not consider as being received on May 13, 1998 but rather on May 15, 1998.

24. Papers in an application which has received a filing date pursuant to 37 CFR 1.53 will not be returned for any purpose whatever. If applicant has not preserved copies of the papers, the Office will furnish copies at applicant's expense. See 37 CFR 1.19 for a list of the current fees.

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25. This application may qualify for "**Small Entity Status**" and, therefore, may be entitled to reduced payments of fees. In order to qualify, applicant must show entitlement as: 1) an independent inventor or 2) a non-profit organization as defined in regulations established by the Commissioner of Patents and Trademarks or 3) a small business concern as defined in Section 3 of the Small Business Act and by regulations established by the Small Business Administration. See 37 CFR 1.9. The appropriate form and a current fee schedule may be obtained by calling 1(703) 308-HELP[4357] or 1(800)786-9199.

Note: this is very important to you since you are pro sec (which means you have no attorney represent you) and you are not part of the big company, therefore, make sure you get some form to file your status as a small entity to pay the lower price for the application. Otherwise, they will charge you double if you do not claim yourself as a Small Entity Status.

26. If applicant continues to prosecute the application, revision of the specification and claims to present the application in proper form is required. While an application can be amended to make it clearly understandable, **no subject matter can be added that was not disclosed in the application as originally filed.**

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Information regarding proper format of the Amendment

Amendment for Drawings:

27. Applicant is reminded that in the amendment of drawings, all the changes should be marked in ***red ink*** on a copy of the original drawing, and the new drawings could be submitted in black ink as the regular drawings.

Amendment for claims:

28. In the amendment of claims, applicant is reminded that the amendment can be done in three ways:

1) by directing us to cancel one or more of the pending claims to enter new claims. All new claims should be start with the next highest number than the highest number of any previously filed claims;

2) Alternately, applicant can amend claims presently of record by submitting a rewritten version of each amended claim. In a rewritten version, any deletions of terms must be shown between brackets [] and any insertions of words must be shown by underling all of the added words;

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3) Or, applicant can direct us to delete or insert any words in a specific claim with a specific line number and position (e.g. Regarding claim 1, line 1, change "A" to --The-- before "system"; At line 2, delete "the" after "in"). All the deletion and insertion must be shown with "xxx" and --xxx--, respectively.

Amendment for the specification:

29. In the amendment of specification, applicant is reminded that the amendment can be done in two ways:

1) applicant can direct us to delete or insert any words in a specific page with a specific line number and position (e.g. Regarding claim 1, line 1, change "A" to --The-- before "system"; At line 2, delete "the" after "in"). All the deletion and insertion must be shown with "xxx" and --xxx--, respectively;

2) or replacing the original specification by a substitute specification.

Applicant is reminded that any substitute specification will be accepted only if applicant submit therewith a "marked-up copy" which shows the portions of the original specification which are being **added and deleted** and **a statement that the substitute specification includes no**

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new matter and that the substitute specification includes the same changes as are indicated in the marked-up copy of the original specification showing additions and deletions. ***Such statement must be verified statement if made by a person not registered to practice before the office.***

Additions should be indicated by underlining and *deletions* should be indicated between brackets. ***A new substitute specification is required again along with the marked-up copy by the Examiner.*** Applicant should make a detailed comparison between the old and new specifications for determining whether or not new matter has been added. If, however, an examiner becomes aware that new matter is present, objection thereto should be made.

Amendment for the response/remarks:

30. Applicant is also reminded that in the Amendment, applicant should provide an argument against the position taken by the examiner. In reply to an office action, applicant must either amend the claims to overcome objections and rejections, or argue against any position taken by the examiner that the applicant disagree with. The argument and other pertinent comments would appear in a section titled "REMARKS". In the remarks, applicant must respond to each and every ground of rejection or objection made in the office action. If applicant believe that the examiner made an error, then applicant must indicate what the error was and how the original specification (with specific page number and line number) or to the claims overcome the objections and rejections.

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31. Applicant is reminded that in a response in which the applicant intend to overcome a prior art rejection, applicant must clearly explain what he/she believes distinguished the claims over the cited prior art of record. This is done whether the claims are amended or not. A general statement that the claims are unpatentable over the prior art of record is insufficient. The pertinent rule requires you to specifically point how the claim language unobviously distinguishes the claimed invention from the prior art references (37 CFR 1.111).

For the 102 rejection, the applicant should argue why each claim is not anticipated by the respective reference.

For the 103 rejection, the applicant should argue not only why the individual reference is deficient but also why the combination of the references is not sufficient. The argument should also point out where the specification supports the position as argued.

Conclusion

32. Applicant is reminded that applicant is ***cautioned against the insertion of new matter*** because new matter cannot be entered in the specification, claims, abstract or the drawings. New matter is considered any information that applicant proposes to insert that is not support by the specification as originally filed.

**** ***The above are the important guidelines for filing the application. Please read them very carefully and the sample reference or prior art.***


DANIEL J. WU
Primary Examiner